

REMARKS

Favorable reconsideration of this application as presented herein is requested. Claims 1-14 are pending in this application for reconsideration following amendment. Claims 1, 12, 13 and 14 have been amended. No new matter has been added.

Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by McNamara (U.S. Patent No. 6,262,976). The present application is concerned with resolving conflicting links in a topology map by generating data items representing virtual devices to which source and/or destination devices are assumed to be connected. The virtual devices represent one or more network devices which are either missing entirely from the topology map or are not identified in the topology map as being connected to the source and destination devices. The claims capture these aspects of the presently described technology.

McNamara does not disclose this methodology. Instead, McNamara is concerned with establishing actual paths between source and destination domains through the use of “ring check links” packets. Col. 23, lines 9-12. The ring check links packets propagate from node to node and send any found changes in actual network links to the network core, to thus allow routers to calculate new routes as soon as possible. Col. 23, lines 12-21. Neither the ring check links packets nor any other aspects of McNamara use virtual devices as claimed to resolve conflicting links in a topology map as claimed.

Consequently, McNamara does not anticipate independent claims 1, 12, 13 and 14. Claims 2-11 depend from claim 1 and therefore include all the limitations of that independent claim. Since McNamara does not render claims 1-14, as amended, unpatentable Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

It is asserted that the present communication places the application in a form for allowance. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 02-4270. A Request for Extension of Time is filed concurrently herewith.

Dated: December 5, 2005

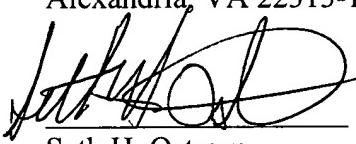
I hereby certify that the correspondence attached herewith is being transmitted by first class mail to Mail Stop Amendment, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450

Respectfully submitted,

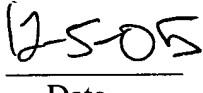


Seth H. Ostrow
Reg. No. 37,410
BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
900 Third Avenue
New York, New York 10022
Tel : (212) 895-2000
Fax: (212) 895-2900

Customer No. 29858



Seth H. Ostrow



12-5-05

Date